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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,342

02/20/2004

Jerry Wu

7706

25859

7590

02/07/2005

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EXAMINER

ZARROLI, MICHAEL C

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/783,342

Applicant(s)

WU, JERRY

Examiner

Michael C. Zarroli

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-22 is/are allowed.
- 6) ☒ Claim(s) 1,7,12-14 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 2-6,8-11 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/20/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the assembly of the upper shell to the lower shell by rotation where the upper shell is initially at an upwardly oblique angle etc. must be shown or the feature(s) canceled from the claims 23-26. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top

margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR

1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claim 25 objected to because of the following informalities: There is a grammatical problem with the wording in the last two lines. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claim 26 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "for consideration of molding" in claim 26 is a relative term which renders the claim indefinite. The term "for consideration of molding" is not defined by the claim, the specification does not provide a standard for ascertaining

the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. How is the molding to be considered? The examiner will interpret this phrase to mean that the molding is part of what helps make the cover secure in the connector.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 7, 12-14 and, 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Sauder in view of Whiting et al.

Sauder discloses an electrical connector, comprising: a shielded connector (title), comprising; a terminal subassembly (22) having an insulating housing (40) and a plurality of terminals (50) received in the housing; a lower shell (26) having a base plate (70), a mating frame (76, 88) in a front end of the base plate for receiving the terminal subassembly (fig. 1), and a pair of sidewalls (72, 74) upwardly extending from the base plate (fig. 1); and an upper shell (24) attached to the lower shell (fig. 1) and having a cover plate (70) and a pair of sidewalls (72, 74) downwardly

extending (fig. 1) from the cover plate; and a cover comprising: a first cover member (28); a second cover member (30); a positioning means (figures 1 or 5) comprising at least one pillow (124, 130) provided in one of the first and second cover members, and at least one cutout (122) defined in the other cover member for receiving said at least one pillow; and a latching means comprising a detent (124, 130) disposed in said at least one pillow, and a latching tab (128) projecting from said at least one cutout.

Sauder does not disclose that the latching tab has an opening for latchably engaging with said detent.

Whiting discloses a cutout (122) defined in a cover (e.g. 110) member with an opening (unnumbered fig. 1 right side) for engaging with the detent (124) of a pillow.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify the latching tab of Sauder with an opening as taught by Whiting et al. The motivation for this change would be a more secure fit and another way to verify proper mating of the covers. Seeing the detent through the latch opening would be a way to verify a complete mating.

Regarding claim 7 Sauder does not disclose a pulling tab. Whiting discloses a pulling tab (116). At the time the invention was made it would have been obvious

to one of ordinary skill in the art to further modify the connector of Sauder with a pulling tab as taught by Whiting. The motivation for this modification would be to help urge the connectors together.

Regarding claim 12 Sauder discloses that the upper and lower shells each have a half cable passage (88) in a rear side (fig. 4).

Regarding claims 13-14 Sauder discloses that each cover member defines a half cable exit (152, 154 fig. 1) in a rear side thereof and that the connector further comprises a strain relief (160).

Regarding claim 16 Sauder discloses that said first and second cover members are hermaphroditic (figures 1 and 5).

7. Claims 23-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Whiting et al.

Whiting discloses an electrical connector assembly comprising: a shielded connector including: a terminal assembly (60) having an insulative housing (62) with a plurality of conductive terminals (col. 2 lines 22-26) therein; a pair of lower and upper shells (112 in fig. 1) commonly defining therein a space (between vertical arrows) receiving said terminal assembly; a full mating frame formed on a front end of the lower shell (118, 120, 116) with first engaging means thereof; a

second engaging means formed on a front end of the upper shell (fig. 1); wherein the upper shell is assembled to the lower shell under a condition that the upper shell is initially engaged with the lower shell at a rearwardly upwardly oblique angle (fig. 1 curved arrow portions together with ghost lines in drawing center) with the first and second engaging means interengaging each other, and successively the upper shell is downwardly rotated toward the lower shell about said interengaged first and second engaging means until a rear end of the upper shell abuts against a rear end of the lower shell.

Whiting does not specifically reveal what material the shells are made of.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to manufacture the upper and lower shells of Whiting with metal.

The motivation for this selection of material would be to clear up noise when signals are sent through the connector. Whiting says that the connector is (col. 1 lines 20-23) a small connector so there would be a greater need for noise reduction.

Well settled case law shows that merely the selection of a known material is not a reason for patentability; *In re Leshin*, 125 USPQ 416 (CCPA 1960).

Regarding claim 24 Whiting discloses that the first engaging means is essentially located at an uppermost position of the lower shell (fig. 1 lower left).



***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country, in public use, or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 25-26 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Huss, Jr. et al.

Huss discloses a terminal assembly including an insulative housing (22, 40) with a plurality of terminals (42) therein; a mating tongue blade (44) extending from the housing with a plurality of mating contact portions of said terminals thereon (fig. 1); a conductive shell (24, 26) enclosing said housing and defining an opening mating port with said mating tongue blade therein (fig. 2); and a plastic molded cover (28, 30) defining a receiving cavity only receiving said mating tongue blade while without covering said opening mating port (fig. 8).

Regarding claim 26, (as best understood) Huss discloses that the cover has a finger (108) accessible from the exterior that aligns with a through hole (168).

***Allowable Subject Matter***

10. Claims 17-22 are allowed over the prior art of record.

11. Claims 2-6, 8-11 and, 15 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: The combination of claim 17 specifically the pillow projecting beyond the end surface toward the other cover and a notch defined in the pillow and a detent defined in the notch. Regarding claim 2 the terminals received in the tongue and extending through the insulating housing to electrically connect with the PCB.

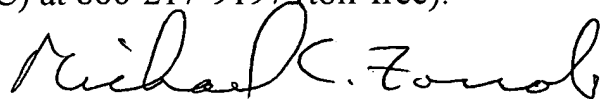
### *Conclusion*

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hashiguchi, Lane and Kuo et al all teach an insulative housing with two shell halves and two cover halves. Wang teaches a pillow with notch and detent, but the pillow does not extend from a surface toward the other half.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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